

## **REMARKS**

Claims 1-13, 23-26, 28-30 and 39-64 are pending in the application. Claims 14-22 and 31-38 have been cancelled. Claims 1, 10 and 23 have been amended. Claims 39-64 have been added. No new matter has been added. Applicants respectfully request reconsideration of the rejections set forth in the Office Action dated January 19, 2007 in light of the preceding amendments and following remarks.

Applicants thank the Examiner and her Supervisor, Justine Yu, for the courtesy extended during the personal interview with Applicants' representative on March 12, 2007. During this interview, the claim language and rejections under U.S.C. §103 were discussed.

### **Restriction Requirement**

Claims 14-22 and 31-38 have been cancelled in response to the Restriction Requirement.

### **In the Claims**

Claims 1, 23 and 39-64 have been amended or added to recite aspects of a gas delivery device or a gas delivery system that includes a gas delivery device. Support for these amendments can be found throughout the Specification. Support for the gas delivery device and its claim features can be found on page 15 line 25 to page 18 line 2 and Figures 5A and 5B, for example. Support for the gas delivery system can be found on page 8 line 22 to page 13 line 23 and Figures 1-3B, for example.

### **Rejections Under 35 U.S.C. §103**

Claims 1-13, 23-26 and 28-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,352,076 to French ('French') in view of US Patent No. 3,794,027 to Johnson ('Johnson').

Johnson describes an anesthesia system for servicing a cow. His anesthesia system includes an endotracheal tube 106 with a tube cuff 108 **that is inserted inside a cow's mouth and trachea** (see col. 2 line 60 to col. 3 line 13 and col. 4 lines 48-67)).

French describes an anesthesia induction chamber.

The independent claims have been amended to include subject matter not taught or remotely suggested by Johnson and French.

Independent claim 23 has been amended to include the allowable subject matter of claim 27. New claim 45 has been added to a gas delivery system that includes a gas delivery device with the allowable subject matter of claims 23 and 27. Applicants respectfully submit that independent claims 23 and 45 are therefore allowable over the art of record.

Independent claims 1, 39 and 42 now recite “a first gas delivery outlet coupled to a gas delivery device having multiple living specimen interfaces horizontally disposed along a front face of the gas delivery device and capable of simultaneously providing anesthesia gas and oxygen to the multiple living specimen interfaces”. Johnson’s endotracheal tube 106 does not include ‘multiple living specimen interfaces horizontally disposed along a front face of the gas delivery device’ or a gas delivery device ‘capable of simultaneously providing anesthesia gas and oxygen to the multiple living specimen interfaces’ as recited. French does not remotely mention these limitations either. For at least these reasons, the Applicants respectfully submit that independent claims 1, 39 and 42 are allowable.

Independent claims 48 and 51 have been added and recite “a mouse interface including a hole in the front face, wherein the mouse interface is sized to at least partially receive the head of the mouse”. Johnson does not teach or remotely suggest a ‘a mouse interface including a hole in the front face, wherein the **mouse interface is sized to at least partially receive the head of the mouse**’ as recited. As mentioned before, Johnson’s endotracheal tube 106 is adapted for **insertion into the mouth and trachea of a cow**. French does not cure the deficiencies in Johnson. For at least these reasons, the Applicants respectfully submit that independent claims 48 and 51 are allowable.

Independent claims 54 and 57 have been added and recite “a mouse interface including a hole in the front face, wherein the mouse interface is sized to at least partially receive the head of the mouse” and “a disposable member for insertion into the mouse interface and configured to at

least partially receive the head of the mouse”. Johnson and French, either alone or in combination, do not teach or suggest this combination of limitations. For at least these reasons, the Applicants respectfully submit that independent claims 54 and 57 are allowable.

Independent claim 60 has been added and recites “a mouse interface including a hole in the front face, wherein the mouse interface is sized to at least partially receive the head of the mouse”, “a scavenger system configured to draw in anesthesia gas output by the mouse interface, the scavenger system comprising” “at least one hole in the front face adjacent to the mouse interface and capable of drawing in anesthesia gas when a suitable negative pressure is applied thereto”. Johnson and French, either alone or in combination, do not teach or suggest this combination of limitations. For at least these reasons, the Applicants respectfully submit that independent claim 60 is allowable.

Independent claim 62 has been added and recites “a mouse interface including a hole in the front face and configured to rest proximate to the head of a mouse” and “wherein the mouse interface increases in diameter as it extends away from the channel”. Johnson does not remotely teach or suggest this combination of limitations. Again, Johnson’s endotracheal tube 106 is adapted for **insertion into the mouth and trachea of a cow**. French does not cure the deficiencies in Johnson. For at least these reasons, the Applicants respectfully submit that independent claim 62 is allowable.

Based on the foregoing, Applicants respectfully submit that all the pending independent claims recite limitations not taught or suggested by the art of record.

Claims 2-13, 24-26, 28-30, 40-41, 42-44, 46-47, 49-50, 52-53, 55-56, 58-59, 61 and 63-64 each depend either directly or indirectly from independent claims 1, 23, 39, 42, 45, 48, 51, 54, 57, 60 and 62, and are patentable over the art of record for at least the reasons set forth above with respect to the independent claims. Further, the dependent claims recite additional elements which when taken in the context of the claimed invention further patentably distinguish the art of record.

Withdrawal of the rejection under 35 USC §103(a) is therefore respectfully requested.

Allowable Subject Matter

Applicants gratefully acknowledge indication of allowability of claim 27 if rewritten in independent form. Claim 23 has been amended to include the allowable subject matter of claim 27.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
BEYER WEAVER LLP  
/William J. Plut/  
William J. Plut  
Reg. No. 59,700

P.O. Box 70250  
Oakland, CA 94612-0250  
Telephone: (408) 255-8001